

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

IN RE: MAURICE MORRIS DEBTOR))))	CHAPTER 13 CASE NUMBER A18-53497-JRS
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MOTION TO DISMISS

COMES NOW Nancy J. Whaley, Standing Chapter 13 Trustee, in the above styled case, and respectfully shows the Court as follows:

1.

Debtor filed a petition for relief under Chapter 13 of Title 11.

2.

Debtor's Plan will exceed sixty months by one (1) months in violation of 11 U.S.C. 1322(d)(2)(C) and 11 U.S.C. 1307(c).

3.

Debtor has failed to tender all plan payments due in accordance with the confirmed plan. As of 1/9/2019 the Trustee received a total of \$9,533.14. The Trustee's records indicate the amount delinquent is \$5,711.86. A receipt history is attached and marked exhibit A.

Wherefore, the Trustee prays that this case be dismissed or in alternative that the Debtor proposes a modification to meet the requirements of the confirmed plan that ensures that the plan is completed within the allowable time.

This the 14th day of January, 2019.

/s/ _____
Maria C. Joyner
Attorney for the Chapter 13 Trustee
State Bar No. 118350
303 Peachtree Center Avenue, NE
Suite 120
Atlanta, GA 30303
678-992-1201

EXHIBIT "A"

CASE NO: A18-53497-JRS
MAURICE MORRIS

01/09/2019

RECEIPT HISTORY OVER THE LAST 12 MONTHS

<u>DATE</u>	<u>TYPE</u>	<u>SOURCE</u>	<u>AMOUNT</u>
January 09, 2019	EMPH	6787939	\$176.54
January 02, 2019	EMPH	6784104	\$176.54
December 28, 2018	EMPH	6779444	\$176.54
December 26, 2018	EMPH	6775767	\$176.54
December 19, 2018	EMPH	6771525	\$176.54
December 10, 2018	EMPH	6765914	\$176.54
December 03, 2018	EMPH	6761946	\$176.54
November 27, 2018	EMPH	6758348	\$176.54
November 16, 2018	EMPH	6752752	\$176.54
November 14, 2018	EMPH	6748909	\$176.54
November 01, 2018	EMPH	6743468	\$176.54
October 25, 2018	EMPH	6738449	\$176.54
October 17, 2018	EMPH	6734091	\$176.54
October 11, 2018	EMPH	6729617	\$176.54
October 04, 2018	EMPH	6725002	\$176.54
October 02, 2018	EMPH	6720777	\$176.54
September 24, 2018	EMPH	6716461	\$176.54
September 14, 2018	EMPH	6712438	\$176.54
September 12, 2018	EMPH	6709344	\$176.54
August 30, 2018	EMPH	6705625	\$176.54
August 24, 2018	EMPH	6699163	\$176.54
August 15, 2018	EMPH	6695142	\$176.54
August 10, 2018	EMPH	6690157	\$176.54
August 02, 2018	EMPH	6685888	\$176.54
July 12, 2018	EMPH	6670617	\$176.54
July 06, 2018	EMPH	6667040	\$176.54
June 27, 2018	EMPH	6662249	\$176.54
June 19, 2018	EMPH	6656817	\$176.54
June 13, 2018	EMPH	6652852	\$176.54
June 08, 2018	EMPH	6648136	\$176.54
June 08, 2018	EMPH	6645545	\$176.54
June 04, 2018	PCH	1606	\$765.00
May 24, 2018	EMPH	6640915	\$176.54
May 18, 2018	EMPH	6635869	\$176.54
May 10, 2018	EMPH	6631863	\$176.54
May 03, 2018	EMPH	6627145	\$176.54

EXHIBIT "A"

CASE NO: A18-53497-JRS
MAURICE MORRIS

01/09/2019

RECEIPT HISTORY OVER THE LAST 12 MONTHS

<u>DATE</u>	<u>TYPE</u>	<u>SOURCE</u>	<u>AMOUNT</u>
May 02, 2018	PCH	1605	\$765.00
April 27, 2018	EMPH	6622893	\$176.54
April 25, 2018	EMPH	6609497	\$176.54
April 19, 2018	EMPH	6618217	\$176.54
April 11, 2018	EMPH	6613766	\$176.54
April 03, 2018	PCH	1603	\$765.00
April 03, 2018	EMPH	6604895	\$176.54
March 23, 2018	EMPH	6600108	\$176.54
Receipt Total:			<hr/> \$9,533.14

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

IN RE:)	CHAPTER 13
MAURICE MORRIS)	CASE NUMBER A18-53497-JRS
)	
DEBTOR)	

NOTICE OF HEARING ON MOTION TO DISMISS CASE

PLEASE TAKE NOTICE that the Chapter 13 Trustee has filed a Motion to Dismiss and related exhibits with the Court seeking an Order of Dismissal.

PLEASE TAKE FURTHER NOTICE that the Court will hold a hearing on **February 12, 2019** at **9:30 am in Courtroom 1404, Richard Russell Building, 75 Ted Turner Drive, S.W., Atlanta, GA. 30303.**

Failure to appear at the hearing or failure to resolve the matter prior to the hearing may result in the dismissal of your case. You should read this motion carefully and discuss it with your attorney, if you have one in your bankruptcy case. (If you do not have an attorney, you may wish to consult one.) If you do not want the Court to grant the dismissal of your case, you and/or your attorney must attend the hearing unless you have settled the matter prior to the hearing.

This the 14th day of January, 2019.

/s/ _____
Maria C. Joyner
Attorney for the Chapter 13 Trustee
State Bar No. 118350
303 Peachtree Center Avenue, NE
Suite 120
Atlanta, GA 30303
678-992-1201

CERTIFICATE OF SERVICE

Case No: A18-53497-JRS

This is to certify that I have this day served the following with a copy of the foregoing Chapter 13 Trustee's Motion to Dismiss by depositing in the United States mail a copy of same in a properly addressed envelope with adequate postage thereon.

Debtor(s):

MAURICE MORRIS
120 HIGHGATE TRAIL
COVINGTON, GA 30016

By Consent of the parties, the following have received an electronic copy of the foregoing Chapter 13 Trustee's Motion to Dismiss through the Court's Electronic Case Filing system.

Attorney for the Debtor(s):

SLIPAKOFF & SLOMKA, PC
se@myatlflow.com

This the 14th day of January, 2019.

/s/

Maria C. Joyner
Attorney for the Chapter 13 Trustee
State Bar No. 118350
303 Peachtree Center Avenue, NE
Suite 120
Atlanta, GA 30303
678-992-1201